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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,764	11/08/2001	Jinsam Kim	7956-83879	3080

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EXAMINER

WRIGHT, NORMAN M

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/007,764

Applicant(s)

KIM, JINSAM

Examiner

Norman M. Wright

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/8/01.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____


NORMAN M. WRIGHT
PRIMARY EXAMINER

Ar 2134

DETAILED ACTION

Claim Objections

1. Claims 1-3 are objected to because of the following informalities: claim 1 terms for example of: the user, the fingerprint input, the fingerprint data, the associated card, said reference fingerprint data, lacks proper antecedent basis. An article of a or an should precede the first use of said phraseology. Similarly, in claim 3, the first occurrence of the pre-registered password, the fingerprint and said user's thumb, transaction slip, personal information, lack proper antecedent basis. The use of terms such as the entered password is inconsistent with the previous entered pre-registered password. Claim 4, the referenced fingerprint and B/L database, lack proper antecedent basis, and said requested transaction use inconsistent terminology. Applicant's assistance is requested in ensuring that the remaining claims are free of similar informalities. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1 and 3-4, they recite the use of a B/L database, it appears not to have been defined in the specification and it is not clearly understood what it is. For the

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purposes of this office action it is being construed to be a financial database of accounts linked to the financing cards and their associated statuses.

As to claim 6, ...stores personal including... is idiomatic and not understood. As to claim 6, the type of data stored in a computer system, particularly a persons poor credit status does not further limit the systems' architecture or structure. Accordingly, it is not being given any patentable weight. The system of the present invention must distinguish over the prior art in structure, not function for apparatus type claims, see MPEP 2114.

As per claim 9, the traditional credit card device is not understood. Traditional credit cards as recited by applicant in the background in the second paragraph, on page 1, verifies the credit cards by signatures not biometrics. It appears from fig. 3, that the system has the ability to read both traditional cards and/or smart cards it does not appear that there is a conversion between the two types of cards that allows either one to be substituted for the other. Therefore, the reading out of the fingerprint to the traditional device is not understood.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1-2, 4-9, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawan, U.S. Pat. No. 6,289,324, hereinafter '324, and further in view of Boyles et al., U.S. Pat. No. 6,738,901, hereinafter '901.

As to claims 1-2, Kawan '324 teach a system and method for performing financial transaction using smart cards, comprising: a system/method of authenticating a transaction (fig. 1), via a financing card/smart card (abs., fig. 2, [200], and col. 2, line 22 et seq.), issuing a financing card /financial institution [10] (col. 2, lines 30 et seq., col. 30, lines 30 et seq.), an internal memory (fig. 2), storing the owner's fingerprint/ biometric data (col. 4, lines 45 et seq., [214]), an input device (col. 4, lines 10 et seq. and col. 5, lines 5 –10 et seq. and lines 30 et seq., [210]), reading out the fingerprint (col. 5, lines 40 et seq.), associating a card number/digital encryption signature stored in memory (col. 5, lines 47 et seq.), referring to a database B/L to check the credit status of card/ validation of the card. Believed by the examiner to be validating that the card has a good credit status as indicated by the database (fig. 3, lines 226-232), and approving a request (col. 5, line 59 et seq.). What is not explicitly taught is the fingerprint and card number being associated with each other.

Boyles et al. '901, teach the use of smart cards associating a fingerprint with a card number for the purpose of conveying stored data about a user and card to a system/server (abs., and col. 2, lines 54 et seq.). It would have been obvious to one of ordinary skill in the art at the time of the invention to augment the invention of '324 with a means of associating the card's number and a users identification item as a means of authenticating the user and a card of a system. This means of associating the card

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number to the user could have been accomplished in a variety of ways, for example by using a table associating in memory, using a portion of the card's number as a seeded or augmented value to be added to the user's data etc. One of ordinary skill in the art would have been motivated to performs such a modification because, by registering the card, the user, his fingerprint, and other authentication data with the system, the system would have a secure means of verifying and authenticating that the user should be given access to said system; and a secure means of distinguishing his transactions from other users of the system (col. 2, lines 54 et seq., and col. 3, lines 25 et seq.).

As to claims 4-9, '324 teach the invention as described above and further having an ATM (col. 6), a server card company/financial institution [10, 12, 16], and a VAN network (col. 9). It also stores personal data/information in the database (col. 6, lines 15 et seq.), wired or wireless interfacing devices (fig.1, col. 3, lines 40 et seq.), and credit card transactions (col. 5, lines 10 et seq.).

Conclusion

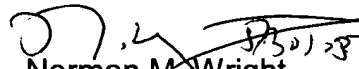
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman M. Wright whose telephone number is (751) 272-3844. The examiner can normally be reached on weekdays from 8am – 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on (751) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Norman M. Wright
Primary Examiner
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